

REMARKS/ARGUMENTS

Claims 1-59 are pending. By this Amendment, claims 1, 5, 8, 12, 13, 21-26, 28, 30-34, 36, 37, 40-42 and 49-57 are amended. Reconsideration in view of the above amendments and the following remarks is respectfully requested.

At the outset, applicants appreciate the kind indication that claims 26 and 54 would be allowable if rewritten into independent form. Claims 58 and 59 correspond to claims 26 and 54 written into independent form. Method claim 59 does not recite that the detecting occurs by optical elements, which is thought to be unnecessary since claim 59 is directed to a method.

Claims 8 and 30-56 were rejected under 35 USC §112, second paragraph. By this Amendment, claims 8 and 30-56 have been amended for clarity only to overcome the rejection. In particular, claim 8 is amended so as to depend from claim 7 and thereby provide antecedent basis. Claims 30-56 have been restructured and reorganized in a method format which more closely comports with U.S. practice.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 2, 5 through 8, 12, 13, 19, 27, 30, 31, 35, 36, 40, 41, 47 and 55-57 were rejected under 35 USC §102(b) over Nanba (Japanese published application no. 59-069332). This rejection is respectfully traversed.

Claim 1 is directed to a device for storing and/or dispensing, one by one or either in homogeneous or non homogeneous bundles, substantially planar items in the form of rigid or flexible sheets, comprising at least one supporting element driven in rotation by at least one electric motor and a ribbon wound on the supporting element and on at least one take-up member for taking up the ribbon, the planar items being stored sequentially between successive windings of the ribbon that are wound and unwound between the supporting element and the at least one take-up member, wherein the supporting element is made of a rigid material and has a non-circular cross section for obtaining one or more distinct rigid resting surfaces, on which the ribbon is wound.

Nanba does not teach or disclose this subject matter. Instead, Nanba discloses a blank-form tray for copying machines where the sheets are stored between flexible films. Applicant respectfully submits that as the thickness on each face increases, there is an increased probability that the underlying film yields due to the pressure determined by the necessary tensioning of the

films in order to wrap and withhold the sheets. This would cause stretching or yielding of the film and imperfect, unpredictable stacking with consequent problems of proper distribution of the sheets. For the examiner's convenience, applicant submits herewith Figure A which discloses the device from Nanba loaded with a plurality of sheets on both sides. As can be seen from Figure A, the webbing of Nanba begins to yield under increased loading. Thus, Nanba does not teach or suggest that the supporting element is made of a rigid material and has a non-circular cross section for obtaining one or more distinct rigid resting surfaces on which the ribbon is wound, as recited in independent claim 1, and equivalently in method claim 30.

Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 20 and 48 were rejected under 35 USC §103 over Nanba. However, claims 20 and 48 depend from or otherwise include all the features of independent base claims 1 or 30, respectively. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 4, 9-11, 33, 34 and 37-39 were rejected under 35 USC §103(a) over Nanba in view of Jannett. This rejection is respectfully traversed especially given that these claims depend from either claim 1 or claim 30 either directly or indirectly and are patentable by virtue of that dependency. Jannett does not make up for these deficiencies, and nor was it relied upon for such.

Moreover, Jannett discloses a machine for manufacturing wound capacitors and therefore could not be properly considered as a document belonging to the same technical field. In fact, it should be noted that no items are stored between the windings of the tape wound onto the mandrel. It is recognized that the mandrel can likely be made of a substantially rigid material, but it should be clear that the mandrel is part of the product (the capacitor) and not of the machine (*see*, e.g., the Abstract on column 1, lines 16-18).

Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the above amendments and remarks, Applicant respectfully submits that all the claims are patentable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, he is invited to contact the undersigned at the telephone number listed below.

SPINETTI
Appl. No. 10/542,070
January 17, 2008

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____


Paul T. Bowen
Reg. No. 38,009

PTB:eaw
901 North Glebe Road, 11th Floor
Arlington, VA 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100